

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

| | | |
|-------------------------------|---|-----------------|
| JAMES AND PATRICIA OLSON |) | |
| |) | |
| COMPLAINANTS |) | |
| |) | |
| vs. |) | CASE NO. 95-435 |
| |) | |
| SOUTH WOODFORD WATER DISTRICT |) | |
| |) | |
| DEFENDANT |) | |

O R D E R

On September 25, 1995, James and Patricia Olson ("Olsons") filed a complaint with the Commission alleging that South Woodford County Water District ("South Woodford") violated Commission Regulation 807 KAR 5:066, Section 11, by failing to reimburse them for connections to their extension.

Section 11(2)(b)(2) and Section 11(2)(b)(3) of 807 KAR 5:066 state that each customer who pays for an extension to a utility's main shall be reimbursed when additional customers connect their service lines directly to the extension installed and not to extensions or laterals therefrom.

On October 23, 1995, South Woodford filed its Answer to the Olsons' Complaint and on December 28, 1995, it filed additional information. In its responses, South Woodford contends that reimbursement is not required in this case because the service lines for the connections are not directly connected to the Olsons' extension; rather, they are directly connected to a lateral and an extension of the Olsons' line.

During an informal conference held on April 22, 1996, the Olsons neither agreed nor disagreed with South Woodford's Answer. For this reason and because they did not file any additional information with the Commission, the Commission entered an Order requiring the Olsons to file, on or before June 28, 1996, any information showing that the service lines for the connections in question are directly connected to the Olsons' extension and are not connected to a lateral or an extension of the Olsons' extension.

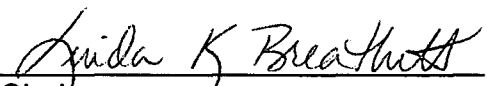
The Order, dated June 20, 1996, also notified the Olsons that this case shall be submitted to the Commission for a final decision if the Olsons fail to file the required information on or before June 28, 1996. Because the Olsons did not file any additional information, this case was submitted to the Commission for a final decision.

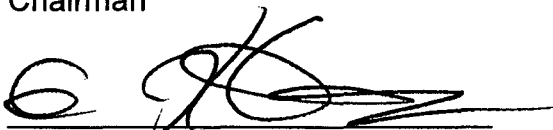
Having reviewed the evidence of record and being otherwise sufficiently advised, the Commission finds that the Olsons' Complaint should be dismissed because there is no evidence in the record indicating that the connections warrant reimbursement under the provisions of Commission Regulation 807 KAR 5:066, Section 11.

IT IS THEREFORE ORDERED that this case is dismissed.

Done at Frankfort, Kentucky, this 29th day of July, 1996.

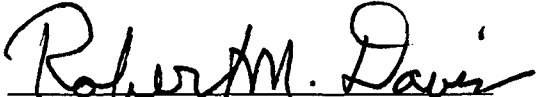
PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman

ATTEST:


Executive Director


Commissioner